



08-20-02

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ATTORNEY'S DOCKET: 2002832-0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sosin Examiner : Blau, S.
Serial No. : 09/248,515 Art Unit : 3711
Filed : February 8, 1999
For : GOLF CLUB AND METHOD OF DESIGN

ASSISTANT COMMISSIONER FOR PATENTS
BOX IDS
WASHINGTON, D.C. 20231

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Sir:

TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced patent application:

1. Statement Filed Pursuant to Duty of Disclosure (5 pages);
2. PTO Form 1449 – Information Disclosure Statement (1 page);
3. Cited references; and
4. Return-receipt postcard.

Respectfully submitted,

Elijah Cocks
Reg. No. 47,499

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Date: August 19, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on 8/19-02

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**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Supplemental Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(Select A, B, C or D below)

- A. ☒ This Information Disclosure Statement has been filed:
1. ☐ within three months of the filing date of the above identified U.S. Patent application other than a continued prosecution application under § 1.53(d);
 2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application;
 3. ☐ before the mailing date of the first Office Action on the merits in the above-identified application; or
 4. ☒ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

No fee or certification is required.

- B. ☐ This (Supplemental) Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of the first Office Action, but before the mailing date of any of a final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application, and:

(check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed, OR
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that

(check a or b below)

- a. ☐ each item of information contained in this (Supplemental) Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of the (Supplemental) Information Disclosure Statement; or
- b. ☐ no item of information contained in this (Supplemental) Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the (Supplemental) Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

- C. ☐ This (Supplemental) Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and on or before payment of the Issue Fee.

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
 - a. ☐ each item of information contained in this (Supplemental) Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three

months prior to the filing of the (Supplemental) Information Disclosure Statement; or

- b. ☐ no item of information contained in this (Supplemental) Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the (Supplemental) Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement; AND

2. The Petition Fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

- D. ☐ This (Supplemental) Information Disclosure Statement does not comply with any of the provisions set forth above, or is being submitted after the payment of the issue fee; however, Applicants respectfully request that the Statement be placed in the above-referenced file.

PART II - 37 CFR § 1.98 Content of (Supplemental) Information Disclosure Statement:

- [X] A. Applicants hereby make of record in the above-identified application all patents, publications, applications or other information submitted for consideration by the Office listed on the attached form PTO-1449 (modified). The order of presentation of the patents, publications, applications or other information should not be construed as an indication of the importance.

☐ For each patent, publication, or other information listed that is not in the English language, the following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

☐ Alternatively, if a written English-language translation of a non-English-language document, or portion thereof, if within the possession, or control of, or is readily available to any individual designated in § 1.56(c), a copy of the translation is provided herein as identified:

- [X] B. The Applicants hereby make the following additional information of record in the above-identified application:

After a review of the file, the enclosed Supplemental Information Disclosure Statement is submitted containing references cited in the International Search Report and International Preliminary Examination Report but yet to be cited in this corresponding US case.

PART IV: Remarks

[X] A copy of each of the above-identified U.S. and foreign patent(s), publication(s), application(s) or other information submitted is enclosed unless otherwise indicated on the attached form PTO-1449 (modified).

[] Copies of certain of the references cited on the attached form PTO-1449 (modified) are not enclosed because each of these references (indicated by an asterisk) was previously cited by or submitted to the Office in a prior application, , which prior application is relied upon for an earlier filing date under 35 U.S.C. §120.

It is respectfully requested that:

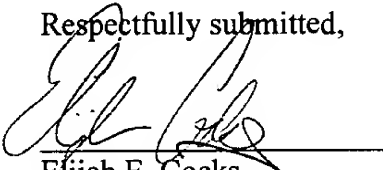
1. [X] The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. [X] The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information been fully considered by the Patent and Trademark Office during the examination of this application; and
3. [X] The citations for the patent(s), publication(s), application(s), or other information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited materials. An early and favorable action is hereby requested.

Respectfully submitted,


Elijah E. Cocks
Reg. No. 47,499

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Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Date: August 19, 2002

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